



# **CITY OF NEWPORT BEACH GENERAL PLAN ADVISORY COMMITTEE AGENDA**

**COMMUNITY ROOM - 100 CIVIC CENTER DRIVE**

**Wednesday, June 4, 2025 - 5:00 PM**

***General Plan Advisory Committee Members:***

**Nicholas Acevedo  
Virginia Anders-Ellmore  
Dennis Baker  
Curtis Black  
James Carlson  
Annie Clougherty  
Susan DeSantis  
Chuck Ebner  
Jeremy Evans  
Rita Goldberg  
Arlene Greer  
David Guder  
Lynn Hackman  
Laird Hayes  
Ruth Kobayashi  
Scott Laidlaw  
Katie Love  
Anthony Maniscalchi  
Thomas Meng  
Jim Mosher  
Amber Snider  
Debbie Stevens  
Christy Walker  
Paul Watkins**

**Staff Members:**

**Seimone Jurjis, Community Development Director  
Jaime Murillo, Deputy Community Development Director  
Ben Zdeba, Planning Manager**

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The General Plan Advisory Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the General Plan Advisory Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the General Plan Update Steering Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

Please Note: You can submit your questions and comments in writing for the General Plan Advisory Committee to consider by mailing or delivering them to the City of Newport Beach General Plan Advisory Committee at 100 Civic Center Drive, Newport Beach, CA, 92660. Alternatively, you can send them by electronic mail at [GPupdate@newportbeachca.gov](mailto:GPupdate@newportbeachca.gov). In order to ensure adequate time to review comments, please submit any written comments no later than 2:00 p.m. on Tuesday in order to give the Committee adequate time to review your submission.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Jaime Murillo, Deputy Community Development Director, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3200 or [jmurillo@newportbeachca.gov](mailto:jmurillo@newportbeachca.gov).

**NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Community Development Department 24 hours prior to the scheduled meeting.

**I. CALL MEETING TO ORDER**

**II. WELCOME AND ROLL CALL**

**III. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

*(This item includes written correspondence received that is not related to items on the agenda.)*

**IV. CURRENT BUSINESS**

**a. Meeting Minutes of April 2, 2025 (Attachment 1 - Draft Minutes)**

*Recommended Action:*

Review and approve the minutes of April 2, 2025.

[Draft Minutes of April 2, 2025](#)

**b. Draft Arts and Cultural Element and Historic Resources Elements (Attachments 2 and 3 - Draft Elements)**

The GPAC Arts and Cultural/Historic Resources Subcommittee met on April 24, 2025, to review the draft Elements. Subcommittee Chair Greer will provide an overview of the Subcommittee's discussions. At the conclusion of the Subcommittee's meeting, those in attendance agreed to allow City staff to make some small revisions and to share the Elements with the full GPAC for consideration. Attachments 2 and 3 are the draft Elements as reviewed and revised by the Subcommittee.

*Recommended Actions:*

(1) Receive an overview from the GPAC Arts and Cultural/Historic Resources Subcommittee;

(2) Provide any feedback on the Subcommittee's efforts; and

(3) Conduct a vote to support moving the draft Elements forward for the GPUSC's review, and for public review thereafter, including any related City Boards, Commissions, and Committees.

[Draft Arts and Cultural Element and Historic Resources Element](#)

**c. Draft Harbor, Bay, and Beaches Element (Attachment 4 - Draft Element)**

The GPAC Harbor, Bay, and Beaches Subcommittee met on April 30, 2025, to

review the draft Element. As Subcommittee Chair Black is unable to attend the GPAC meeting, Subcommittee members will be invited to provide an overview of the Subcommittee's discussions. At the conclusion of the Subcommittee's meeting, those in attendance agreed to allow City staff to make some small revisions and to consider sharing the Elements with the full GPAC for consideration. Attachment 4 is the draft Elements as reviewed and revised by the Subcommittee. Additional Subcommittee member comments are included behind the draft Element for full GPAC consideration, including a statement of support submitted by Subcommittee Chair Black.

*Recommended Actions:*

- (1) Receive an overview from the GPAC Harbor, Bay, and Beaches Subcommittee;
- (2) Provide any feedback on the Subcommittee's efforts; and
- (3) Conduct a vote to support moving the draft Element forward for the GPUSC's review, and for public review thereafter, including any related City Boards, Commissions, and Committees.

[Draft Harbor, Bay, and Beaches Element](#)

**d. Updates and Overview of Upcoming Deliverables, Objectives, and Schedule**

City staff and the consultant team will provide updates since the GPAC last convened on April 2, 2025, and what to expect from here in terms of deliverables and timing.

*Recommended Actions:*

- (1) Receive a presentation from City staff and the consultant team; and
- (2) Provide any feedback on the efforts.

**V. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

**VI. ADJOURNMENT**

*Next Meeting: July 2, 2025 at 5 p.m.*

# **Attachment No. 1**

Draft Minutes of April 2, 2025

**CITY OF NEWPORT BEACH  
GENERAL PLAN ADVISORY COMMITTEE AGENDA  
CIVIC CENTER COMMUNITY ROOM – 100 CIVIC CENTER DRIVE**

**April 2, 2025  
REGULAR MEETING – 5 P.M.**

**I. CALL THE MEETING TO ORDER**

Planning Manager Ben Zdeba called the meeting to order at 5:00 p.m.

**II. WELCOME AND ROLL CALL**

**a. Confirming GPAC Positions (Attachment 1 – GPAC Subcommittees)**

The terms for all GPAC members expired in February 2025, with a new roster of members confirmed by City Council. Attachment 1 includes an updated roster of current members and former positions held by each of those who were reappointed, including Co-Chairs and subcommittee seats.

Recommended Action:

- (1) Review the GPAC member roster with former positions and provide any changes regarding seats on the subcommittees; and
- (2) Conduct a vote to confirm GPAC Members Evans and Greer as Co-Chairs.

Planning Manager Zdeba called for discussion on whether Jeremy Evans and Arlene Greer should continue to serve as General Plan Advisory Committee (GPAC) Co-Chairs. None ensued.

**Motion** made by GPAC Member Dennis Baker and seconded by GPAC Member Susan DeSantis to approve GPAC Members Evans and Greer serving as Co-Chairs.

**Motion carried unanimously.**

Planning Manager Zdeba noted there were two new GPAC members and suggested they may want to introduce themselves. GPAC Member Rita noted her past service as a City Arts Commissioner and 40-plus years of Newport Beach residency.

GPAC Member Chuck Ebner noted he has been a Corona del Mar resident since 1983 and is a retired City Planner along with being a retired member of the United States Army Reserves.

Co-Chair Evans conducted roll call.

Present: Virginia Andres-Ellmore, Dennis Baker, Susan DeSantis, Chuck Ebner, Jeremy Evans, Rita Goldberg, Arlene Greer, Lynn Hackman, Laird Hayes, Ruth Kobayashi (joined the meeting while in progress), Katie Love, Anthony Maniscalchi, Thomas Meng, Jim Mosher, Amber Snider, Debbie Stevens, Christy Walker, and Paul Watkins

Staff: Deputy Community Development Director Jamie Murillo, and Planning Manager Ben Zdeba

Excused Absent: Curtis Black, Annie Clougherty

Absent: Nicholas Acevedo, James Carlson, David Guder, Scott Laidlaw

III. **PUBLIC COMMENTS ON NON-AGENDA ITEMS – None**

IV. **CURRENT BUSINESS**

a. **Meeting Minutes of November 6, 2024 (Attachment 2 – Draft Minutes)**

**Motion** made by GPAC Co-Chair Greer and seconded by GPAC Member Baker to approve the meeting minutes of November 6, 2024.

**The motion carried unanimously.**

b. **Noise Subcommittee Recap (Attachment 3 – Noise Subcommittee Action Minutes)**

The GPAC Noise Subcommittee met on November 13, 2024, December 6, 2024, and December 13, 2024. Subcommittee Chair Mosher will provide an overview of the Subcommittee's discussions. Attachment 3 includes action minutes from each Subcommittee meeting.

Recommended Actions:

- (1) Receive an overview from the GPAC Noise Subcommittee;
- (2) Provide any feedback on the Subcommittee's efforts; and
- (3) Receive and file Attachment 3 to continue guiding the initial update efforts for the Noise Element.

Planning Manager Zdeba reported the Subcommittee has admirably and productively met three times since the last GPAC meeting.

GPAC Member and Subcommittee Chair Jim Mosher commended Planning Manager Zdeba's minutes from the meetings and encouraged the Committee Members to read them for a more complete update. He highlighted the City's limited noise standards, gaps in interior and construction-related policies, and urged broader participation.

Co-Chair Greer shared her past experience reviewing draft environmental impact reports with the former Environmental Quality Affairs Committee (EQAC), noting noise was always considered a mitigating issue, but the City lacks specific noise policies.

In response to resident Chuck Fancher's inquiries, GPAC Members Mosher and Tony Maniscalchi explained that current standards in mixed-use zones focus on commercial impacts to residences, with the City prioritizing residential protections. Planning Manager Zdeba added that City Code 10.2.6 applies the same noise standards to mixed-use and single-family zones, and restaurants with live music require permits and acoustical studies.

GPAC Member DeSantis referenced national and international health-based noise standards and expressed confidence the City's consultant, Dudek, is familiar with them. In response to GPAC Member Goldberg, Mosher encouraged participation in the Noise Subcommittee, noting suggestions like quieter lawn equipment could be considered through

ordinance updates. Zdeba referenced the City's leaf blower ordinance as an example and welcomed broader participation on the Subcommittees.

GPAC Member Baker acknowledged that construction noise is unavoidable. Mosher noted that other cities restrict construction hours, and the Subcommittee is reviewing model policies. Co-Chair Greer encouraged further review of the City's leaf blower ban, noting community receptiveness is key to successful implementation.

GPAC Member Walker supported considering noise regulations but urged balancing costs and impacts on residents and contractors. She emphasized planning for the future without creating undue burdens. Mosher welcomed her balanced perspective.

With no further discussion, the GPAC received and filed the Subcommittee's report.

**c. Updates and Overview of Upcoming Deliverables, Objectives, and Schedule (Attachment 4 – Phase 2 Outreach and Engagement Summary)**

City staff and the consultant team will provide updates since the GPAC last convened on November 6, 2024, including the Phase 2 Outreach and Engagement Summary (Attachment 4), a contract amendment with Dudek, and what to expect from here in terms of deliverables and timing.

**Recommended Actions:**

- (1) Receive a presentation from City staff and the consultant team;
- (2) Provide any feedback on the efforts; and
- (3) Receive and file Attachment 4.

Planning Manager Zdeba reported that the City Council amended its agreement with Dudek to incorporate the Noise Element and extend their support through FY 2025–26. He noted that Phases 1 and 2 of outreach have been successful, with all City departments drafting goals and policies now under expert staff review.

Consultant Jenna Tourjé-Maldonado (Kearns & West) summarized Phase 2 outreach, which included four themed in-person workshops. She praised strong attendance—especially at the Land Use, Harbor, Bay, and Beaches Workshop—and emphasized the effectiveness of the City Manager's *Week in Review* newsletter and a broad media strategy. She identified nine key themes from public input, led by the desire to preserve the City's character and improve connectivity and sustainability.

GPAC Member Ruth Kobayashi noted that despite the robust outreach, awareness of the General Plan update remains low among residents in her social circles.

GPAC Member Virginia Anders-Ellmore highlighted difficulties reaching HOAs due to outdated contact info and proposed that GPAC members help engage HOAs within their districts.

Consultant Tourjé-Maldonado confirmed that Kearns & West provided materials for members to share and pledged to offer a broader variety of file formats for future outreach.

GPAC Member Dennis Baker praised the Outreach Subcommittee's efforts, stating that participation opportunities were ample, and that public calm may reflect confidence in the process.

GPAC Member DeSantis agreed, adding that staff has been active in her neighborhood and that low controversy might explain the subdued response.

GPAC Member Lynn Hackman raised concern about the absence of the Housing and Circulation Elements in public-facing materials and discussions, given their foundational role in planning.

Consultant Tourjé-Maldonado replied that the Housing Element was addressed at the last workshop. Planning Manager Zdeba clarified that the Housing Element is complete and adopted, so it is referenced in related discussions (e.g., safety), but not the focus of current outreach. He emphasized the plan still accounts for projected growth.

GPAC Member DeSantis argued that RHNA-driven growth impacts (e.g., parks, fire, police) warrant more public visibility and urged clearer messaging.

GPAC Member Walker stressed residents just want assurance that growth is being planned for, especially regarding noise, traffic, and safety.

GPAC Member Hackman reiterated that it's illogical to omit the Housing Element from public discussions.

GPAC Member Maniscalchi countered that the Housing and Circulation Elements are not being hidden but are already completed.

GPAC Member Katie Love affirmed that while these elements can't be revised, their impacts are fully considered in the General Plan update.

GPAC Member Paul Watkins noted the call seems to be for more explicit acknowledgment of the Housing Element's influence.

Planning Manager Zdeba explained that the Housing Element ran on a parallel track and is inherently tied to land use, parks, and infrastructure planning, and that the General Plan policies are being shaped accordingly.

Deputy Director Jaime Murillo added that while the Housing Element must be updated every eight years, the General Plan has not been comprehensively updated since 2006. He confirmed RHNA growth is being integrated into current work.

Resident Chuck Fancher recommended finding a way to acknowledge Housing Element impacts without revisiting its content. He also noted most HOAs aren't discussing the General Plan due to a lack of clear information.

In response to an inquiry, Planning Manager Zdeba said draft goals and policies will be available within the month, and implementation planning will follow.

Mr. Fancher emphasized the need for concrete examples to drive public interest and understanding.

GPAC Member Goldberg stated that the General Plan must reflect increased population needs and should be shaped accordingly.

GPAC Member Baker cautioned that legal challenges to the Housing Element could still affect future development and noted several projects are on hold due to ongoing litigation.

Consultant Tourjé-Maldonado added that similar debates occur in other cities and explained their outreach strategy follows a decision-focused public participation model.

GPAC Member DeSantis noted strong land use discussions in prior workshops, and that RHNA concerns were directly addressed.

In response to GPAC Member Anders-Ellmore, Planning Manager Zdeba clarified that the General Plan update will be adopted by City Council—not via the 2026 ballot.

GPAC Member Baker added that recent votes only addressed individual issues, not the full plan.

GPAC Member Mosher questioned how certain outreach priorities, such as the boardwalk bike path, became elevated despite controversy.

Consultant Tourjé-Maldonado explained that “connectivity” was identified as a key theme, and specific ideas like bike paths were grouped under broader categories.

Co-Chair Jeremy Evans noted that workshop comments, including sticky notes, were categorized to reflect common themes, and Consultant Tourjé-Maldonado confirmed all feedback was transcribed and will be provided to the GPAC.

GPAC Member Kobayashi echoed concerns about HOA awareness and requested consistent messaging for community use.

Consultant Tourjé-Maldonado confirmed messaging exists and will be circulated more broadly as details are finalized.

Planning Manager Zdeba noted that while the full GPAC hasn’t met since November, the Outreach Subcommittee has remained active. He acknowledged the need for clearer messaging and better HOA engagement and encouraged members to assist.

GPAC Member Love pointed out that only 55 people attended the four workshops, suggesting a need for new engagement strategies.

In response to GPUSC Member Kimberly Carter’s inquiry, Planning Manager Zdeba stated the City maintains a community association list and encouraged updates to improve it.

Elizabeth Dickson (Dudek) reported that the Draft General Plan is in progress and will be ready for GPAC review by July. An acoustician will present to the Noise Subcommittee, and Dudek will attend additional subcommittee meetings in the coming months.

Planning Manager Zdeba confirmed that while only the Noise Subcommittee has been meeting, other subcommittees will be re-engaged to review draft policies. These meetings are public but informal.

GPAC Member Mosher asked whether the General Plan update will retain explanatory narratives.

Planning Manager Zdeba responded that the updated plan will feature streamlined narratives aligned with goals and policies, with full context provided in Dudek's Existing Conditions and Background Analysis.

GPAC Member DeSantis suggested using SharePoint for collaborative editing. Planning Manager Zdeba noted the City is using OneDrive successfully for the Noise Subcommittee and this could be expanded to others.

Co-Chair Evans Evans applauded outreach efforts that reached 90,000 people and suggested increasing visibility through the Chamber of Commerce, Newport Beach Foundation, and local events. He also encouraged continued use of the *Week in Review* newsletter.

In response to Co-Chair Arlene Greer, Planning Manager Zdeba confirmed the GPAC will continue meeting on the first Wednesday of each month, though July may shift due to the holiday, and noted additional meetings may be needed as the process intensifies.

Co-Chair Evans received and filed the report.

**V. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

GPAC Member Mosher reported all California jurisdictions are required to file an annual report to the State about their General Plan status. He remarked that Newport Beach's report was Item No. 11 on the agenda for the March 25<sup>th</sup> City Council meeting if GPAC Members wanted to read it.

**VI. ADJOURNMENT**

With no further business, Co-Chair Evans adjourned the meeting at 6:42 p.m.

*Next Meeting: May 7, 2025, at 5 p.m. in the Civic Center Community Room*

## **Attachment No. 2 & 3**

Draft Arts and Cultural Element and Historic Resources Element




**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

100 Civic Center Drive  
Newport Beach, California 92660

949 644-3200  
[newportbeachca.gov/communitydevelopment](http://newportbeachca.gov/communitydevelopment)

## Memorandum

**To:** Co-Chairs Evans and Greer, and GPAC Members  
**From:** Benjamin M. Zdeba, AICP, Planning Manager   
**Date:** May 29, 2025  
**Re:** Agenda Item IV(b) - Draft Arts and Cultural Element and Historic Resources Elements

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As indicated in the agenda narrative, the Arts and Cultural/Historic Resources Subcommittee met on April 24, 2025, to review the initial draft. After discussion on several key points, the Subcommittee provided pointed feedback and allowed City staff to work with Dudek on responsive revisions.

City staff and the Subcommittee, in consultation with Dudek, are pleased to share the draft Arts and Cultural Element and the draft Historic Resources Element for the GPAC's review and consideration. Please know that this is simply the text and is not fully formatted with graphics and photographs.

The recommended action is to support moving the draft Elements forward for the GPUSC's consideration, and for the public to review and provide input on thereafter. The GPAC's support for these drafts will not set them in stone, rather it will allow us to continue sharing for more input from others. The Elements will remain in draft form until they are ultimately adopted by the City Council.

# Arts and Culture Element

## PURPOSE

The Arts and Culture Element focuses on enriching the community by bolstering art and culture through facilities, educational programming and activities, and events and festivals that support art and culture.

## OVERVIEW

The Arts and Culture Element focuses on enriching the community by bolstering art and culture through facilities, educational programming and activities, and events and festivals that support art and culture.

Art and culture play an important role in the social fabric of Newport Beach. The dedication and involvement of the City and the community have resulted in a wide range of art and culture organizations, resources, attractions, and activities that create a sense of community pride and enrichment. The Newport Beach Public Library offers robust art, culture, and literary programs, serving as a central hub for accessing and experiencing diverse forms of art and culture.

## GOALS, POLICIES, ACTIONS

### Engaging with Art and Culture

Art, culture, literary and educational opportunities, and creativity can enhance quality of life for residents, improve visitor experiences, and contribute to the local economy. Art and culture bring a unique sense of identity to Newport Beach and can connect residents to each other and their community by expanding creative opportunities, promoting art and culture activities, and facilitating partnerships that support art and culture.

**Art and Culture Opportunities:** Expanded art and culture opportunities can include new public art installations, culture events, and programs. Creating opportunities to engage with art and culture across Newport Beach can make art accessible to people of all backgrounds and generations.

**Promoting Art and Culture:** Raising awareness and generating enthusiasm for the arts and culture are key to increasing participation in programs, exhibits, and events. This entails distributing marketing materials throughout the city, initiating social media campaigns, and creating new ways for people to engage in the arts through interactive technologies. A multifaceted approach that includes both traditional and novel outreach and engagement methods can capture the attention of residents and visitors of all ages.

**Strategic Partnerships:** Partnerships are crucial for maintaining existing and realizing new opportunities to cultivate art and culture exhibits, programs, events, and funding. Strong coordination between City staff and private institutions, partner agencies, and local artist organizations can facilitate community involvement in art and culture, procurement of funding, and successful management of public art.

*Goal AC-1: A community enriched by and connected to the arts, culture, and education*

- Policy AC-1.1: Promote arts and culture by incorporating art in widely used public places such as parks, open space, public plazas, view sites, villages, and along corridors that attract visitors. (Imp. 1.1, 20.1, 20.3, 30.1)
- Policy AC-1.2: Attract new and cultivate existing signature events and programs that add to the quality of life for residents, enhance Newport Beach as a hub for art and culture, and stimulate economic activity. (Imp. 29.2, 23.3, 30.1)
- Policy AC-1.3: Assess capital improvement projects for opportunities to incorporate public art in a manner that enhances community character and the built environment. (Imp. 1.1, 20.1, 23.3, 29.2, 30.1)
- Policy AC-1.4: Consider the development of regulations or incentives for the incorporation of public art into larger commercial projects that enhance the City's community character and its built environment. (Imp. 1.1, 8.1, 8.2)
- Policy AC-1.5: Acquire and display art in public facilities citywide to bolster civic pride and increase exposure to arts and culture. (Imp. 29.2)
- Policy AC-1.6: Explore and implement new technologies in art and culture displays, such as augmented reality and smartphone applications, to engage the public, track engagement, and enhance the educational experience of art and culture in innovative ways. (Imp. 29.2)
- Policy AC-1.7: Incorporate artwork into the public realm that encourages interaction while providing educational opportunities. This could include education for visitors in areas that attract tourists. (Imp. 1.1, 20.1, 23.3, 29.2, 30.1)
- Policy AC-1.8: Seek to integrate planning for public art into other City planning efforts, such as Specific Plans and corridor plans. (Imp. 3.1, 20.1, 29.2,)
- Policy AC-1.9: Nurture creativity and artistic talent in local youth and adults through a rich offering of well-balanced and equitably distributed arts, culture, and literary educational programs and services. (Imp. 30.1)
- Policy AC-1.10: Coordinate with the Orange County Transportation Authority to explore options for the expansion of transportation services, such as trolleys, event-specific bus routes, or reduced transit fees, for major community art and culture events. (Imp. 14.4, 30.1)
- Policy AC-1.11: Continue to recognize and support musical performances as a vital community asset by providing increased opportunities for music in public spaces, signature music events, and other opportunities that highlight local talent and/or attract visitors.

*Goal AC-2: Programs and exhibits within the city are widely promoted, marketed, and attended.*

- Policy AC-2.1: Promote tourism in Newport Beach to attract visitors and tourists interested in art, culture, and literary events to support and sustain local arts through coordination with the Chambers of Commerce and other community groups. (Imp. 24.1, 29.1)

- Policy AC-2.2: Conduct marketing through the City's various social media and communications platforms to build public awareness and encourage participation in City-affiliated arts, culture, and literary activities. (Imp. 29.1)
- Policy AC-2.3: Maintain regulations for the provision of banners on lights in the public right-of-way to promote and advertise Newport Beach's art and culture events across various villages and neighborhoods. (Imp. 8.1, 8.2, 29.1)
- Policy AC-2.4: Expand awareness of art and culture by integrating public art and culture tours as a regular component of community engagement. (Imp. 23.3, 29.1, 29.2, 30.1)

*Goal AC-3: A City with strong partnerships that support thriving arts, culture, and education*

- Policy AC-3.1: Partner with the community and educational institutions to encourage and strengthen arts education for children, youth, adults, and older adults in the city. (Imp. 14.2, 29.1)
- Policy AC-3.2: Where available, provide reasonable in-kind resources and services, such as advertisements, equipment, security, and space, to artists and organizations offering programs for the public and contributing to art and culture in Newport Beach. (Imp. 29.2)
- Policy AC-3.3: Collaborate with local art and culture groups to pursue private and community sponsorships and donations for art and culture events and programs. (Imp. 29.1, 29.2)

### Financing Art and Culture

Investment from philanthropic organizations, the City, and community members can help the arts thrive by supporting local artists, providing new and upgraded facilities, and bolstering programs. Such financial contributions to the arts can increase both the quantity and quality of art and arts programs in the community. Funding and investment should reflect the high value the community places on the arts.

*Goal AC-4: Funding that helps local artists and art programs flourish*

- Policy AC-4.1: Partner with and reasonably support non-profit, private, and community organizations in applying for public and private grants and promote community and business donations that support art, culture, and literary activities. (Imp. 29.1, 29.2)
- Policy AC-4.2: Promote and support volunteer opportunities for public involvement in City-affiliated arts, culture, and literary programs and events. (Imp. 29.1, 29.2)
- Policy AC-4.3: Utilize culture resources outside of Newport Beach through the promotion of programs such as the Newport Beach Sister City Association and other culture exchange programs. (Imp. 29.1, 29.2)

### Art and Culture Facilities and Assets

Facilities dedicated to the arts, such as galleries and performance halls, provide a place for the community to gather in appreciation of the arts and to promote Newport Beach as a regional destination for the arts. Additionally, integrating art into existing community centers, libraries, recreation facilities, parks and other open spaces, as well as in private buildings, plays a vital role in realizing Newport Beach as a city of the arts.

Such assets must be well-maintained, and they require a well-functioning system for accepting, maintaining, and rotating art through public spaces and facilities to help sustain interest and

ensure the high quality of exhibits. Developing guidelines and criteria for accepting art donations and acquisitions and dedicating staff to manage public art can ensure that the system for managing art is consistent and operates smoothly.

*Goal AC-5: State-of-the-art facilities to host art exhibits and programs*

- Policy AC-5.1: Explore opportunities to accommodate current or emerging culture and arts programs within existing and new facilities by working with community groups to facilitate sharing of performance and exhibit space, as well as consider the potential for new facilities. (Imp. 9.1, 29.1, 29.2)
- Policy AC-5.2: Explore opportunities to create a new, larger arts center to host performances and exhibitions. (Imp. 1.1)
- Policy AC-5.3: Maintain the Newport Theatre Arts Center while exploring opportunities to enhance, expand, or relocate the facility based on community needs. (Imp. 9.1, 29.1, 29.2)
- Policy AC-5.4: Improve and enhance existing library facilities, collections, and computer facilities. (Imp. 23.2)
- Policy AC-5.5: Amend the Zoning Code as needed to facilitate the temporary or interim use of vacant ground-floor commercial or lobby space for art exhibits, display space, and “pop up” art and culture activities. (Imp. 8.2)

*Goal AC-6: A wide collection of art exhibited throughout the city*

- Policy AC-6.1: Revise the City’s public art policy to (1) establish suitability criteria to guide the selection of sites for new and innovative public art installations in a manner that considers citywide needs and the balanced distribution of art throughout the city; (2) establish guidelines for the commissioning and conveyance of public art on private property; (3) refine guidelines and criteria for accepting art donations for display in public spaces and consider establishing guidelines for storage and long-term maintenance. (Imp. 8.2, 9.1)
- Policy AC-6.2 Pursue the adoption and update the Master Plan for Arts and Culture every five years or as necessary. Once adopted, report periodically on implementation progress to City Council. In the Master Plan for Arts and Culture identify future locations for public art citywide. (Imp. 8.2)
- Policy AC-6.3: Support the provision of staff resources for arts and culture programming, funding, arts management and maintenance, and coordination and communication with artists and City departments. (Imp. 30.1)

# Historical Resources Element

## PURPOSE

The Historical Resources Element focuses on the identification, documentation, preservation, and celebration of historical resources.

## OVERVIEW

The Historical Resources Element focuses on the identification, documentation, preservation, and celebration of historical resources. Historic preservation is essential for preserving the unique character, culture, and identity of Newport Beach. By having systems in place to identify, preserve, and protect historical resources, the City is able to balance growth and development with the preservation of cultural and historical heritage while providing tangible benefits to the economy, environment, and the city's residents and visitors.

## GOALS, POLICIES, ACTIONS

### Identification of Historical Resources

Documenting and protecting archaeological and paleontological resources are crucial for preserving the evidence of human history and life forms of the distant past. These resources inform our understanding of ancient ecosystems and cultures. This stewardship fosters a culture of respect and responsibility, ensuring that future generations can continue to learn from and appreciate this history.

*Goal HR-1: A city that recognizes and protects historically significant landmarks, sites, and structures*

- Policy HR-1.1: Maintain and update as needed, the Newport Beach Register of Historical Property for buildings, objects, structures, and monuments having importance to the history or architecture of Newport Beach. (Imp. 9.1, 10.1, 29.2)
- Policy HR-1.2: Encourage local residents to research and nominate properties for review by the City and/or Newport Beach Historical Society. (Imp. 29.1, 29.2)
- Policy HR-1.3: Consider developing standards for the review of demolition, grading, and building permits prior to granting City approval based upon potential effects on historical resources. If demolition is granted, require photo documentation (in conformance with the standards outlined by the National Park Service Historic American Buildings Survey program) of inventoried historic structures prior to demolition. (Imp. 2.1, 8.1, 8.2)
- Policy HR-1.4: Encourage the preservation of structures listed in the National Register of Historic Places, and/or the list of California Historical Landmarks, and/or the Newport Beach Register of Historical Property. Provide reasonable incentives, such as waivers of application fees, permit fees, and/or any liens placed by the City for properties listed in the National Register of Historic Places, State Register, or the Newport Beach Register of Historical Property in exchange for preservation easements, designation applications, and other related preservation incentives. (Imp. 8.2, 29.2)
- Policy HR-1.5: Complete a Citywide Historic Context Statement to provide a consistent framework for evaluations and surveys. (Imp. 29.2)

- Policy HR-1.6: Every 10 years or as needed, complete and update a Citywide historical resources survey to identify historical resources. Include community, neighborhood, cultural, and historic preservation groups; property owners; land developers; and the building industry in planning and implementing historical surveys. (Imp. 29.2)
- Policy HR-1.7: Consolidate all provisions and policies related to historical resources under one ordinance in the Municipal Code to facilitate consistent application of the regulations and easier staff review. This could include the following:
  - Establish the National Park Service Secretary of the Interior's Standards as the baseline City standard for project reviews, providing opportunity for certain projects to qualify for a categorical exemption under the California Environmental Quality Act (Class 31 Categorical Exemption).
  - Define categories of major and minor changes that would be subject to review, the review required, and the assigned decision-making body responsible for the associated determination.
  - Revise, consolidate, and better define the City's classification system for historical resources to align with the Federal and State systems of classification. Streamline the process for how landmarks are considered for listing in the City's classification system. One decision-making body (preferably the Planning Commission or a newly established Cultural Heritage Commission) should be given authority to review, conduct hearings, and make recommendations to City Council on the adoption of the historical resources designation. (Imp. 8.1, 8.2, 9.1)
- Policy HR-1.8: Support the provision of training and/or consultant services to advise staff on matters related to historical resources. (Imp. 30.1)
- Policy HR-1.9: Consider taking the steps necessary to meet the requirements for becoming a Certified Local Government, including adopting a historic preservation ordinance, establishing a qualified preservation review commission, providing adequate public participation in the historic preservation program, and completing other responsibilities identified by the State. (Imp. 29.2)

*Goal HR-2: Well-documented and protected archaeological and paleontological resources*

- Policy HR-2.1: Allow access to historical records between local preservation and cultural groups and between City departments and County agencies to the extent legally permissible. (Imp. 29.2)
- Policy HR-2.2: Complete and update as needed a Citywide Prehistoric and Ethnohistoric Context Statement to serve as a template for identifying, evaluating, and developing plans for the treatment of archaeological resources. (Imp. 29.2)
- Policy HR-2.3: Require that, in accordance with the California Environmental Quality Act (CEQA), new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archaeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. (Imp. 11.1)

- Policy HR-2.4: As permitted by law, maintain sources of information regarding paleontological and archaeological sites and the names and addresses of responsible organizations and qualified individuals who can analyze, classify, record, and preserve paleontological or archaeological findings. Require a qualified paleontologist/archaeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archaeological, or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archaeologist, subject to the approval of the City Planning Division. (Imp. 11.1)

#### Preservation of Historical Resources

Preserving the City's history is essential for maintaining its unique identity and cultural heritage. By celebrating and safeguarding historically significant landmarks, sites, structures, and legacy businesses, the City can honor the stories and achievements of past generations. Further, by recognizing and celebrating those who have contributed to Newport Beach's past, present, and future, our storied history can be captured. The recognition and protection of history not only enriches a community's sense of place and continuity but fosters civic pride and can attract tourism.

#### *Goal HR-3: A city that celebrates, preserves, and protects its history*

- Policy HR-3.1: Encourage alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive reuse. Provide incentives such as permit and application fee waivers, flexible building requirements, and free technical advice by person(s) qualified in historic preservation. (Imp. 8.2, 29.2)
- Policy HR-3.2: When appropriate, seek to require that proposed development located on a historic site or structure incorporate a physical link to the past within the site or structural design, if preservation or adaptive reuse is not a feasible option. For example, incorporate historical photographs or artifacts within the proposed project or preserve the location and structures of existing pathways, gathering places, seating areas, rail lines, roadways, or viewing vantage points within the proposed site design. (Imp. 1.1, 29.2)
- Policy HR-3.3: Require that, prior to the demolition of a historic structure, developers offer the structure for relocation by interested parties. (Imp. 8.2)
- Policy HR-3.4: Require that, prior to the issuance of a demolition or grading permit, developers of a property that contains a historic structure as defined by the California Environmental Quality Act retain a qualified consultant to record the structure in accordance with U.S. Secretary of Interior guidelines and submit this information (which includes drawings, photographs, and written data) to the Newport Beach Historical Society, Orange County Public Library, and City Planning Division. (Imp. 8.2)
- Policy HR-3.5: Consider the development of a local Mills Act program to offset the ongoing stewardship and care of historic properties through property tax savings. (Imp. 8.2)
- Policy HR-3.6: Pursue to creation of a legacy business program that aims to recognize, honor, and support longstanding businesses within a community that have made significant contributions to its history, culture, and identity. The program could include the promotion of legacy businesses and potential grants. (Imp. 8.2)

### Celebrating Historical Resources

Education is a key tool for enshrining the City's history and ensuring that future generations appreciate and understand this heritage. Integrating local history into programs and events sponsored by the City, library, and others and promoting it through various media can create a well-informed community that values its roots. This awareness not only enhances residents' connection to their city but also helps future generations value the past.

The foundational history of Tribal nations of the City's land provides unique insight into the importance of cultural places. Native American groups and individuals hold special interest in the protection of cultural places. Tribal views toward protection and preservation of cultural resources in the City should be respected, and the history of Tribal nations should be recognized and celebrated.

#### *Goal HR-4: A city that enshrines its history through education*

- Policy HR-4.1: Encourage the placement of historical landmarks, photographs, markers, or plaques at areas of historical interest or value. Create a Landmark Plan that will recognize and designate culturally important heritage sites that are eligible for the placement of historical landmarks or plaques. The Landmark Plan could also identify funding opportunities to support the program, such as development fees, corporate or civic sponsorships, donations, or by utilizing General Funds. (Imp. 8.2, 9.1, 10.1, 29.2)
- Policy HR-4.2: Expand interest in and knowledge of local history through historic landmarks, photographs, markers, and plaques, or self-guided walking tours as a means to promote and celebrate historic preservation in the City. Such information could be published on the City's website to encourage thoughtful conversation about the history of Newport Beach. (Imp. 1.1, 29.1, 29.2, 30.1)
- Policy HR-4.3: Coordinate with local preservation organizations, like the Newport Beach Historical Society, to research, conduct outreach, and develop programs and activities to encourage and support historic preservation and cultural tourism. (Imp. 14.16)
- Policy HR-4.4: Encourage collaboration with local educational institutions on preservation programs, activities, and exhibits/collections. (Imp. 14.2)
- Policy HR-4.5: Pursue development of a program on local history and architecture for use in local classrooms, including age-appropriate materials that describe the importance of city history and historic preservation.
- Policy HR-4.6: Encourage local interested parties and historical societies to partner and to consolidate and share materials such as historical photographs, firsthand historical accounts and interviews, and any additional archival information. This could be done through the establishment of a City-recognized historical society or platform that welcomes representatives from various existing groups to share resources and collectively provide input to the City on historical resources.
- Policy HR-4.7: Leverage available outreach channels (such as local publications, TV channels, social media channels, etc.) to highlight and encourage visitation of historic landmarks.

*Goal HR-5: A city and community that celebrate Tribal Cultural Resources*

- Policy HR-5.1: Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact Tribal Cultural Resources. Allow representatives of such groups to monitor grading and/or excavation of development sites. (Imp. 11.1)
- Policy HR-5.2: Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible. (Imp. 11.1)
- Policy HR-5.3: Foster government-to-government relationships with California Native American tribes in Newport Beach regarding issues of mutual concern. (Imp. 14.6)
- Policy HR-5.4: When appropriate, encourage the use of foundational local history themes in public spaces that highlight California Native American tribes, in coordination with tribal representatives. (Imp. 29.2)

## **Attachment No. 4**

Draft Harbor, Bay, and Beaches Element




**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

100 Civic Center Drive  
Newport Beach, California 92660

949 644-3200  
[newportbeachca.gov/communitydevelopment](http://newportbeachca.gov/communitydevelopment)

## Memorandum

**To:** Co-Chairs Evans and Greer, and GPAC Members  
**From:** Benjamin M. Zdeba, AICP, Planning Manager   
**Date:** May 29, 2025  
**Re:** Agenda Item IV(c) - Draft Harbor, Bay, and Beaches Element

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As indicated in the agenda narrative, the Harbor, Bay, and Beaches Subcommittee met on April 30, 2025, to review the initial draft. After discussion on several key points, the Subcommittee provided pointed feedback and allowed City staff to work with Dudek on responsive revisions.

City staff and the Subcommittee, in consultation with Dudek, are pleased to share the draft Harbor, Bay, and Beaches Element for the GPAC's review and consideration. Please know that this is simply the text and is not fully formatted with graphics and photographs. In addition to sharing the revised draft, Subcommittee members, and other interested GPAC members who attended provided some further thoughts on additional revisions that are included beneath this cover memo.

Subcommittee Chair Black will not be able to attend the GPAC meeting but has submitted a statement of support for the revised draft Element moving forward for review.

The recommended action is to support moving the draft Element forward for the GPUSC's consideration, and for the public to review and provide input on thereafter. The GPAC's support for the draft will not set it in stone, rather it will allow us to continue sharing for more input from others. The Element will remain in draft form until they are ultimately adopted by the City Council.

**From:** Black, Curtis  
**Sent:** May 29, 2025 9:53 AM  
**To:** Paul Watkins; Zdeba, Benjamin  
**Cc:** nancy gardner; Dennis Baker  
**Subject:** Re: Revised Harbor, Bay, and Beaches Element: Please Review by May 23

Hi all,

I just discussed with Ben Zdeba and am comfortable suggesting that the most recent draft (still in draft state and open to additional comments) be moved forward to GPAC next week.

I think this is positive because it will allow us to take the document to additional groups (Harbor Commission, WQCT, Yacht Clubs, others) for more public comment. Ultimately I feel that “public” feedback on the draft is very valuable, will lead to additional insights. and would be helpful to get started.

I am unfortunately on the road for work all of next week and cannot join the meeting. If another member for the committee is comfortable speaking to our process, that would be appreciated.

Thanks,  
Curt

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# Harbor, Bay, and Beaches Element

## PURPOSE

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay.

## OVERVIEW

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay. It builds upon the adopted General Plan's vision of balancing the needs of residents, businesses, and visitors while ensuring that Newport Bay and Harbor are accessible and preserved, offer recreational opportunities, and support the local economy. The Harbor, Bay, and Beaches Element addresses a wide range of topics, including land and water uses, harbor coordination and administration, public access to coastal resources, and coastal ecosystems.

The Harbor, Bay, and Beaches Element is coordinated with the Natural Resources, Recreation, Safety, and Land Use Elements to support the preservation of water-dependent recreational and commercial activities.

## GOALS, POLICIES, ACTIONS

Land and Water Use

### **Diversity of Land Uses**

Newport Beach offers a diversity of water uses opportunities to support recreation on Newport Bay and the wider Pacific Ocean. The recreational and boating activities include but are not limited to sailing, motorized, and human-powered vessels. Those vessels can be used for cruising, racing, and other competitive activities or for angling. Angling can also be enjoyed from many public docks and other locations throughout the harbor. Vessels can be secured to docks, slips, or mooring buoys in the harbor. There are also vessel storage facilities in off-water locations. As of 2024, Newport Harbor featured approximately 1,200 moorings spread across 11 offshore fields, the Balboa Peninsula, around Balboa Island and Lido Isle, and in West Newport. There are 15 public docks and 1 commercial public wharf within the harbor. There are approximately 1,100 docks and several commercial marinas. Additionally, dry storage facilities are available for boats on trailers, stands, and racks at various locations. Recreational and commercial use of the bay and harbor depend on prioritizing

water quality and safety as well as coastal-dependent uses and coastal-related uses, such as chandleries<sup>1</sup>; service yards; boating launches, storage, and rentals; tourism-serving uses and recreation; habitat; and scenic areas. These uses contribute to the local economy, resident and visitor activities, and the character of the community.

Attracting tourism while preserving the unique character of coastal neighborhoods is key to maintaining the City's charm and appeal. This includes maintaining architectural components that match the City's character as well as protecting coastal-dependent uses, local businesses, and coastal resources. By supporting a tourism industry that celebrates Newport Beach's cultural and historical resources and community feeling, the City can create an attractive environment for residents and visitors alike.

*Goal HBB-1: Local businesses and water-dependent commercial uses in the Newport Harbor area that are preserved to maintain and enhance the economic activity and charm of the waterfront community.*

- Policy HBB-1.1: Preserve and enhance the following uses that contribute to the diversity and charm of Newport Bay, including the Upper Bay, and the balance among them:
  - Water-dependent and water-related recreational activities such as boating, sailing, wind surfing, angling, kayaking, rowing, paddle boarding, and swimming
  - Water-dependent and water-related commercial activities such as passenger/sightseeing boats, passenger fishing boats ("day boats"), boat rentals and sales, entertainment boats, boat/ship repair and maintenance (shipyards), and harbor maintenance facilities
  - Water-enhanced commercial uses such as restaurants and retail stores
  - Water-related public recreation and education areas and facilities such as beaches, piers, view parks, and related public areas providing access to, and views of, Newport Harbor
  - Coastal residential communities (Imp. 2.1, 14.3, 14.6, 21.1, 24.1)
- Policy HBB-1.2: Site and design new development to avoid impacts to existing and potential water-dependent and water-related uses. (Imp. 2.1, 7.1, 8.1)
- Policy HBB-1.3: Consider the impact on water-dependent and water-related land uses when reviewing proposals for land use changes, considering both the subject property and adjacent properties. (Imp. 2.1, 14.6, 24.1)

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<sup>1</sup> A chandlery is a store or business selling maritime supplies. City's

- Policy HBB-1.4: Encourage the preservation and enhancement of existing marine support uses, such as ferry service, fuel docks and shipyards serving the needs of existing waterfront uses and the boating community and evaluate of impediments to access, such as bridges across roads that may prevent on-land transportation of tall loads.
- . (Imp. 2.1, 14.3, 14.6, 21.1)
- Policy HBB-1.5: Accommodate private sector uses, such as vessel assistance, that provide emergency, environmental enhancement, and other services that are not provided by the public sector and that are essential to the operation of a working harbor. (Imp. 21.3, 21.4)
- Policy HBB-1.7: Discourage reuse of properties that result in the reduction of water-dependent commercial uses. Allow the reuse of properties that assure water-dependent uses remain, especially in those areas with adequate infrastructure and parcels suitable for redevelopment as an integrated project. (Imp. 2.1, 14.3, 24.1)
- Policy HBB-1.8: When establishing land use regulations, consider the operational characteristics of land uses that support Newport Harbor and whether such uses can be or should be relocated to inland locations and/or if technological advances will eliminate the need for such support uses in the foreseeable future. (Imp. 2.1, 14.3, 21.1)
- Policy HBB-1.9: Support continued operation of passenger/sightseeing boats, passenger fishing boats (“day boats”), and long-term boat rentals and sales. (Imp. 2.1, 21.1)
- Policy HBB-1.10: Support continued short-term rental of small boats while encouraging vendors to teach customers how to safely operate the watercraft. (Imp. 2.1, 21.1, 21.3)
- Policy HBB-1.11: Support continued operation of entertainment and tour boats, subject to reasonable regulations designed to ensure the operations do not have an adverse impact on the environment and land uses surrounding the harbor, such as unsafe navigation, impaired water quality, reduced visual quality, excessive noise, unsafe street traffic conditions, or parking shortages. (Imp. 14.3, 21.3)

*Goal HBB-2: Minimized risk of displacement by coastal hazards*

- Policy HBB-2.1: Adopt a well vetted and comprehensive SeaLevel Rise Plan consistent with relevant state legislation and appropriately update the Local Coastal Program, including the Land Use Plan and Implementation Plan, as reasonably necessary. The Sea Level Rise Plan should consider: (Imp. 5.1) (Policy S-1.1.1).

- Preservation of private property rights;
- Preservation and migration of inter-tidal habitats;
- Preservation of public access; and
- Protecting and retrofitting critical infrastructure, such as water and wastewater infrastructure.
- Policy HBB-2.2: Provide information to at-risk property owners about disaster preparedness and best practices(Community Involvement).
- Policy HBB-2.3: Work with non-profits, educational institutions, and other informed sources, such as the Newport Bay Conservancy and Back Bay Science Center to collect king tide and related flood monitoring data to identify location, severity, and frequency of flooding. (Community Involvement)

*Goal HBB-3: A harbor, bay, and beaches that attract tourism and maintain the character of coastal neighborhoods*

- Policy HBB-3.1: Encourage the creation of waterfront public spaces and beaches, with adjacent public water access and docking facilities that serve as the identity and activity “centers” of Newport Harbor for special events of community/regional interest. (Imp. 20.1, 20.2, 20.3)
- Policy HBB-3.2: Preserve and/or enhance existing water-enhanced, water-related, and water-dependent commercial uses and marine-oriented commercial areas through building improvements and programs that preserve the design and character of Newport Harbor. (Imp. 2.1, 24.1)

*Goal HBB-4: Sufficient coastal infrastructure that protects coastal-dependent and public recreational uses and view corridors while matching the character of the surrounding development and protecting coastal and visual resources*

- Policy HBB-4.1: Balance private property rights, natural harbor tidal and current forces, other coastal processes (such as erosion and accretion), and harbor aesthetics with other public access policies when considering siting and design for new or renovated bulkhead permits. (Imp. 2.1, Imp. 5.1) (Policy S-1.1.5)
- Policy HBB-4.2 Permit and design bulkheads and groins, when allowed, to protect the character of the existing beach profiles and restore and/or sustain eroded beach profiles found around Newport Harbor and island perimeters. (Imp. 2.1, 5.1)
- Policy HBB-4.3: Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways. (Imp. 2.1, 5.1)

- Policy HBB-4.4: Employ City, County of Orange, State, and Federal regulations and resources to promptly remove derelict, abandoned, or unseaworthy vessels from City-controlled tidelands. (Imp. 14.3, 14.6, 21.1, 21.4)

#### Harbor Coordination and Administration

Administration of Newport Harbor and Bay involves coordination among various government agencies and internal City departments. Several commissions and committees handle administrative and advisory tasks, including advising the City Council, reviewing decisions, and managing permits.

One of the **Harbor Commission's** primary charges under Section 713 of the Newport Beach City Charter is to advise the City Council on all matters related to the Newport Harbor, including improvements, vessel regulation, land use, and the implementation of harbor policies. Per section 709 of the Newport Beach City Charter, the **Parks, Beaches, and Recreation Commission** advises the City Council on parks, beaches, recreation, and street trees. It helps plan and promote recreational programs, establishes policies for park and beach development, and manages trees and shrubs, subject to City Council authority.

The **Water Quality/Coastal Tidelands Committee** advises the City Council on water quality and habitat protection in Newport Bay and the ocean. It strengthens regulations, implements the Harbor and Beaches Master Plan, and recommends educational initiatives about Newport Bay and the ocean.

The **California Department of Parks and Recreation** owns and has delegated to the City the development, operation, control, and maintenance of Corona del Mar State Beach, a popular spot for surfing and diving. The park features a 0.5-mile sandy beach enclosed by rocky cliffs.

#### *Goal HBB-5: Coordination between the City and County, State, and Federal agencies having regulatory authority in Newport Harbor and Bay*

- Policy HBB-5.1: Periodically review and update as appropriate all Newport Harbor planning, design, engineering, and environmental criteria, standards, requirements, and processes. (Imp. 9.1, 21.1, 21.4)
- Policy HBB-5.2: Provide harbor access for harbor maintenance equipment and facilities, including dredging; dock demolition, repair, and construction; mooring services; debris and spill management equipment; and general harbor construction, maintenance, and repair. (Imp. 14.3, 14.6, 21.1, 21.4)
- Policy HBB-5.3: Work with other controlling agencies within Newport Harbor and/or Bay to define an area that can support harbor maintenance facilities and equipment. (Imp. 14.3, 14.6, 21.1, 21.4)

#### *Goal HBB-6: Maintenance and enhancement of deep-water channels to ensure they remain navigable by boats*

- Policy HBB-6.1: Develop a comprehensive sediment management program that provides for safe navigation and improved water quality. (Imp. 14.3, 14.11, 21.1)

- Policy HBB-6.2: Cooperate with the U.S. Army Corps of Engineers in their maintenance and delineation of Federal navigational channels within Newport Harbor in the interest in providing safe navigation. (Imp. 14.11)
- Policy HBB-6.3: Secure blanket permits or agreements through the regulatory agencies to expedite permit processing for residential and commercial dock owners in the Bay. (Imp. 14.6, 14.11) Goal HBB-7 Protect and restore beaches and dunes Policy HBB-7.1: Encourage the use of nature-based solutions, such as dune restoration and sand replenishment and nourishment, as alternatives to traditional infrastructure. (Imp. 8.1, 21.2) (Policy S-1.1.4)
- Policy HBB-7.2: Develop and implement a comprehensive sand replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine replenishment and nourishment priorities, and try to use replenishment and nourishment as shore protection, in lieu of more permanent hard shoreline armoring options. (Imp. 8.1, 21.2)
- Policy HBB-7.3: Monitor/analyze beach width and elevation data to establish beach erosion thresholds at which backshore development becomes unreasonably exposed to wave runup flooding risks (Policy S-1.3.2) (Imp. 28.1)
- Policy HBB-7.4 During Emergency Operations Plan updates, reevaluate protocol for the coordinated emergency use of public and private coastal facilities and equipment (i.e., partnerships for allowed use of docks) in advance of flood, storm, pollution, dredging, vessel sinking, and other potentially hazardous events to supplement existing safety and rescue operations. (Imp. 28.2) (Policy S-1.1.5)

#### Economic Value of Newport Harbor

Newport Harbor is the largest recreational boat harbor on the West Coast, with a thriving coastal and visitor-serving industry that includes maritime-related businesses (i.e., shipyards, fueling facilities, boat rentals, charters, ferry services) as well as food and beverage, retail, and hotel industries that service the community and visitors.

As of 2018, commercial activity at the harbor directly generated \$391.9 million in economic output, supported 4,807 jobs, and generated \$167.5 million in labor income. The City and Orange County revenues that the harbor generates through business licenses, mooring fees, and other fees total an estimated \$7 million each year. The annual Christmas Boat Parade generates roughly \$6.5 million each year from its 1 million attendees.

Homes that surround the harbor benefit from higher assessed value, with an average value of just over \$3 million.<sup>2</sup>

Administration and management of the harbor, bay, and beaches includes coordination between departments, public investment balanced with revenue, and well-maintained public facilities. Efficient and effective management policies will maintain the City's ability to provide high-quality services that are accessible to a broad range of people and business.

*Goal HBB-8: Well-managed and economically productive harbor, bay, and beaches*

- Policy HBB-8.1: Protect and, where feasible through the use of new designs and technology, enhance and expand marinas and dry boat storage facilities. (Imp. 2.1, 21.1)
- Policy HBB-8.2: Provide a variety of berthing and mooring opportunities, including lower-cost recreational boating, throughout Newport Harbor, reflecting state and regional demand for slip size and affordability. (Imp. 2.1, 21.1)
- Policy HBB-8.3: Provide anchorages in designated Federal areas that minimize interference with safe navigation and where shore access and support facilities are available. (Imp. 2.1, 21.1)
- Policy HBB-8.4: Authorize, pursuant to permit, license, or lease, new and existing piers and docks bayward of waterfront residential properties, subject to appropriate conditions that ensure compatibility with residential uses. (Imp. 2.1, 21.1)
- Policy HBB-8.5: Facilitate access to vacant moorings for temporary rental use. (Imp. 2.1, 21.1)
- Policy HBB-8.6: Foster public access to moorings by enforcing and refining the derelict boat ordinance and regulating permitted transfers by permit holders. (Imp. 2.1, 21.1)
- Policy HBB-8.7: Allow "live-aboard" vessels, subject to a reasonable maximum number of renewable annual permits, and provide for regulation and vessel inspection. (Imp. 2.1, 21.1)

*Goal HBB-9: Cost-efficient servicing and managing of Newport Harbor*

- Policy HBB-9.1: Explore revenue options to receive a reasonable rate of return from all tideland users to recapture related City investment, services, and management costs. (Imp. 30.2)

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<sup>2</sup> Beacon Economics. *Fiscal Impact Analysis of Newport Harbor: Final Report*. Newport Beach, CA: Newport Harbor Foundation, May 4, 2018. <https://newportharborfoundation.org/wp-content/uploads/Beacon-Economics-Newport-Harbor-Fiscal-Analysis-May-2018.pdf>.

- Policy HBB-9.2: Provide alternative and supplemental Newport Harbor funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of Newport Harbor. (Imp. 30.2)
- Policy HBB-9.3: Review the administration of tidelands leases and permits and consider accepted best management practices to assist in redevelopment, maintenance, and financing of waterfront developments and reflect reasonable value in the lease rates. (Imp. 30.2)
- Policy HBB-9.4: Review costs and procedures to receive reasonable cost recovery for permit processing. (Imp. 21.1)

#### Public Access to Coastal Resources

Newport Beach has a well-established system of accessways to ocean beaches and the bay, including public beaches, parks, shoreline trails, walkways, and boardwalks. The City protects public access from adverse impacts due to new development, per the California Coastal Act.

Higher tides and storm surges from sea-level rise can accelerate some erosion of sandy beaches, these impacts can often be mitigated through sand nourishment and replenishment. This increased erosion may impact public access to the many beach areas, and thus in extreme cases, to public access within Newport Beach. Additionally, unmitigated bluff erosion, which may increase due to sea-level rise, may cause loss and damage to development, including roads, sidewalks, and beach and harbor access points in Corona del Mar and Newport Coast. The possibility of this occurring is greatest in long-term, worst case sea-level rise scenarios. Higher sea levels may also lead to increased risk of coastal flooding during consequential storms, which can also temporarily impede access to the beach and harbor. Low-lying beach access points may be threatened by significant sea-level rise.

The Safety Element includes maps and additional detail on sea-level rise, potential coastal flooding, and beach erosion.

Access to coastal resources provides recreational, health, and economic benefits. The harbor, bay, and beaches should be valued for the recreational opportunities they provide, and reasonable access should be provided and maintained for current and future generations. Enhanced reasonable recreational opportunities and user amenities should be available at appropriate locations to enhance the user experience.

*Goal HBB-10: Safe and accessible beach and harbor access points*

- Policy HBB-10.1: Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay; acquire additional public access points to these areas and provide parking, where possible. (Policy R 7.4) (Imp. 2.1, 5.1, 20.2)
- Policy HBB-10.2: Ensure that new or improved public access facilities are compatible with existing permitted land uses and with the availability of supporting infrastructure, such as parking and restrooms. (Imp. 2.1, 21.1)
- Policy HBB-10.3: Assess beach and harbor access points that are at risk of impacts from coastal hazards, and create long-term management plans to maintain or replace with similar access. (Local Coastal Plan)
- Policy HBB-10.4: Maintain and enhance existing infrastructure to support accessibility for a range of users with varied abilities, including enhanced restrooms, parking, bike racks, and other supportive infrastructure. (Local Coastal Plan)
- Policy HBB-10.5: Provide for marine safety such as lifeguards, harbor patrol, police, traffic, and parking enforcement. (Imp. 23.1, 21.4)

*Goal HBB-11: Multifaceted and integrated coastal access*

- Policy HBB-11.1: Encourage the provision of guest slips, moorings, vessel waste pump-out stations, and anchorages in Newport Harbor. Coordinate with the Orange County Parks Department to provide such facilities where appropriate and feasible within county tidelands. (Policy R8.3) (Imp. 14.3, 23.1)
- Policy HBB-11.2: Enhance and maintain public water transportation services and expanded public water transportation uses and land support facilities. (Imp. 16.12)
- Policy HBB-11.3: Coordinate the location of marine terminals with other components of the transportation system to ensure convenient multimodal access and adequate parking. (Policy CE 5.2.1) (Imp. 16.12)
- Policy HBB-11.4: Promote opportunities to expand water transportation modes, such as water-based shuttle services and water taxis, and land-based transportation modes aimed at increasing coastal access, such as Balboa Peninsula Trolley. (Policy CE 5.2.2). (Imp. 16.12)
- Policy HBB-11.5: Update wayfinding signage designs to improve accessibility to coastal areas and represent neighborhood character.

- Policy HBB-11.6: Assess potential improvements to wayfinding in coastal areas highlighting visitor resources. (Local Coastal Program)

#### Upper Newport Bay

Upper Newport Bay, nestled in the heart of the city, is one of the largest remaining wetlands in the region, spanning about 1,000 acres. This area provides sanctuary to a diverse array of fish, birds, reptiles, plants, and other species. Also known as the Back Bay, this estuarine ecosystem is a popular destination for migratory birds, offering numerous birdwatching opportunities. The Upper Bay State Marine Conservation Area, covering just over one square mile, includes lagoons, tidal flats, and coastal marsh habitats. It protects a variety of small mammals, fish, birds, crustaceans, and other creatures, including some endangered species, and provides residents and visitors opportunities for recreation. This area is vitally important as a rest stop for migratory birds, with up to 30,000 birds visible in a single day during winter migration periods. Management of this ecological reserve balances conservation with public access, governed by policies that protect sensitive habitats while promoting educational and recreational opportunities. Public access considerations include trails, walkways, and educational facilities that allow visitors to experience this ecological treasure while minimizing environmental impacts. Upper Newport Bay exemplifies the delicate balance between preserving critical habitat and providing meaningful public access to natural coastal resources.

#### *Goal HBB-12: Protect the visual and ecological resources Upper Newport Bay*

- Policy HBB-12.1: Maintain public use of the Upper Newport Bay Nature Preserve and Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Imp. 2.1, 23.1)
- Policy HBB-12.2: (NR-11.1): Continue coordination through the Newport Bay Watershed Executive Committee. (Interagency coordination or Community Involvement)
- Policy HBB-12.3 (NR-12.1): Preserve, where possible, natural watercourses or provide naturalized drainage channels within the city. Where feasible, implement restoration and rehabilitation opportunities. (Water)
- Policy HBB-12.4 (NR-12.2): Coordinate the needs of stormwater pollution management with the overlapping (and sometimes competing) needs for habitat management, flood management, capital improvement projects, development, aesthetic, and other open space needs. (Water)

- Policy HBB-12.5: Provide alternative and supplemental Upper Newport Bay funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of the estuary and conservation areas.
- Policy HBB 12.6: Protect and manage visual and scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.
- Policy HBB 12/7 Encourage new public and private development to create new public viewpoints providing views of Upper Newport Bay.

DRAFT

Additional Input Received on Revised Draft Follows From:

- Subcommittee Member Virginia "Ginny" Anders-Ellmore
- Subcommittee Member Paul Watkins
- Subcommittee Member Dennis Baker
- GPAC Member Jim Mosher as Subcommittee Meeting Attendee

**From:** Ellmore, Virginia  
**Sent:** May 21, 2025 8:38 AM  
**To:** Zdeba, Benjamin; Black, Curtis; Acevedo, Nicholas; Baker, Dennis; Carlson, James; Hackman, Lynn; Snider, Amber; Stevens, Debbie; Watkins, Paul  
**Cc:** Gardner, Nancy; Lee, David; Rose Newberry; Mosher, Jim  
**Subject:** Re: Revised Harbor, Bay, and Beaches Element: Please Review by May 23

Hi,

I find the recent version of Harbor Bay and Beaches Element, more readable.

I would like you to consider adding to Policy HBB-1.4 on page 3, a statement about new innovations. Possibly: "Encourage the preservation and enhancement, including new innovations to existing marine support infrastructure" I don't understand the term "uses".

Let me know what you think.

Ginny

**From:** Paul Watkins <paul@lawfriend.com>  
**Sent:** May 26, 2025 8:36 AM  
**To:** Zdeba, Benjamin  
**Cc:** nancy gardner; Dennis Baker; Black, Curtis  
**Subject:** Re: Revised Harbor, Bay, and Beaches Element: Please Review by May 23  
**Attachments:** Sself & bha25052608300.pdf

**[EXTERNAL EMAIL] DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

Hi Ben:

Thanks for this good information.

I have now had a chance to take a look at the latest revised Harbor, Bay, and Beaches Element draft (the "Draft").

Attached are my comments on the Draft. Sorry that I was unable to review the Draft by the May 23 deadline.

Please feel free to share our comments with the City's team, Dudek, and the Subcommittee members. (I am only copying Nancy G, Curt, and Dennis with this email.)

I have included Ginny's change to HBB-1.4 with a minor addition.

Thanks for always sending GP information to "[paul@lawfriend.com](mailto:paul@lawfriend.com)". My computer has been on strike and we cannot access my City email despite numerous efforts and conversations with the City's IT folks.

You may recall that during the Subcommittee meeting for the Recreation/Natural Resources Subcommittee, we suggested that the City Attorney prepare GP global "preface-type" language which qualifies/disclaims/explains the GP with respect to the following issues: (i) All City obligations and actions under the GP will be subject to a "reasonableness" standard depending on the circumstances which will include good faith but not necessarily mandatory action by the City and (ii) Any obligations and actions of the City set forth in the GP are at all times subject to Federal, State, and local laws, executive orders, precedents, case law, statutes, ordinances, or other legal matters or preemptions.

(I'm sure that the City Attorney's office can wordsmith the foregoing ideas far better than I.)

Please let me know the status of the City Attorney's input on the foregoing suggestions; I'll be happy to take a look at what the City Attorney recommends.

Would it be possible for us to number the pages of each draft Element so that interim review by the Subcommittees and GPAC will enable easy reference for discussion purposes? (Ultimately, when the Elements are combined into the final GP, I'm sure there will be master-numbering of all pages.)

Should you have any questions, please give me a holler.

Thanks, Ben.

Best regards,  
Paul

Paul K. Watkins for  
Paul K. Watkins, APC  
6408 West Ocean Front  
Newport Beach, CA 92663-1929 and  
485 East 17th Street, Suite 600  
Costa Mesa, CA 92627-4705  
Of Counsel: Self & Bhamre  
Cell: (714) 403-6408  
E-Mail: [paul@lawfriend.com](mailto:paul@lawfriend.com)

Please number pages.

# Harbor, Bay, and Beaches Element

## PURPOSE

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay.

## OVERVIEW

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay. It builds upon the adopted General Plan's vision of balancing the needs of residents, businesses, and visitors while ensuring that Newport Bay and Harbor are accessible and preserved, offer recreational opportunities, and support the local economy. The Harbor, Bay, and Beaches Element addresses a wide range of topics, including land and water uses, harbor coordination and administration, public access to coastal resources, and coastal ecosystems.

The Harbor, Bay, and Beaches Element is coordinated with the Natural Resources, Recreation, Safety, and Land Use Elements to support the preservation of water-dependent recreational and commercial activities.

## GOALS, POLICIES, ACTIONS

### Land and Water Use

#### Diversity of Land Uses

Newport Beach offers a diversity of water uses opportunities to support recreation on Newport Bay and the wider Pacific Ocean. The recreational and boating activities include but are not limited to sailing, motorized, and ~~hand~~human-powered vessels. Those vessels can be used for cruising, racing, and other competitive activities or for angling. Angling can also be enjoyed from many public docks ~~located~~ and other locations throughout the harbor. ~~Vessel mooring involves securing vessels~~ Vessels can be secured to docks, slips, or mooring buoys in the harbor. There are also vessel storage facilities in off-water locations. As of 2024, Newport Harbor featured approximately 1,200 moorings spread across 11 offshore fields, the Balboa Peninsula, around Balboa Island and Lido Isle, and in West Newport. ~~There are two public anchorages in the harbor.~~ There are 15 public docks and 1 commercial public wharf within the harbor. There are approximately 1,100 docks and several commercial marinas ~~bayward of upland residential properties.~~ Additionally, dry

storage facilities are available for boats on trailers, stands, and racks at various locations. Recreational and commercial use of the bay and harbor depend on prioritizing water quality and safety as well as coastal-dependent uses and coastal-related uses, such as chandleries<sup>1</sup>; service yards; boating launches, storage, and rentals; tourism-serving uses and recreation; habitat; and scenic areas. These uses contribute to the local economy, resident and visitor activities, and the character of the community.

Attracting tourism while preserving the unique character of coastal neighborhoods is key to maintaining the City's charm and appeal. This includes maintaining architectural components that match the City's character as well as protecting coastal-dependent uses, local businesses, and coastal resources. By supporting a tourism industry that celebrates Newport Beach's cultural and historical resources and community feeling, the City can create an attractive environment for residents and visitors alike.

*Goal HBB-1: Local businesses and water-dependent commercial uses in the Newport Harbor area that are preserved to maintain and enhance the economic activity and charm of the waterfront community.*

- Policy HBB-1.1: Preserve and enhance the following uses that contribute to the diversity and charm of Newport Bay, including the Upper Bay, and the balance among them:
  - Water-dependent and water-related recreational activities such as boating, sailing, wind surfing, angling, kayaking, rowing, paddle boarding, and swimming
  - Water-dependent and water-related commercial activities such as passenger/sightseeing boats, passenger fishing boats ("day boats"), boat rentals and sales, entertainment boats, boat/ship repair and maintenance (shipyards), and harbor maintenance facilities
  - Water-enhanced commercial uses such as restaurants and retail stores
  - Water-related public recreation and education areas and facilities such as beaches, piers, view parks, and related public areas providing access to, and views of, Newport Harbor
  - Coastal residential communities (Imp. 2.1, 14.3, 14.6, 21.1, 24.1)
- Policy HBB-1.2: Site and design new development to avoid <sup>significant</sup> impacts to existing and potential water-dependent and water-related uses. (Imp. 2.1, 7.1, 8.1)
- Policy HBB-1.3: Consider the impact on water-dependent and water-related land uses when reviewing proposals for land use changes, considering both the subject property and adjacent properties. (Imp. 2.1, 14.6, 24.1)

<sup>1</sup> A chandlery is a store or business selling maritime supplies City's

- Policy HBB-1.4: Encourage the preservation and enhancement of existing marine support uses, such as ferry service, fuel docks and shipyards serving the needs of existing waterfront uses and the boating community and <sup>evaluation</sup> evaluate of impediments to access, such as bridges across <sup>City-controlled</sup> roads that may prevent on-land transportation of tall loads.

• (Imp. 2.1, 14.3, 14.6, 21.1)

- Policy HBB-1.5: Accommodate private sector uses, such as vessel assistance, that provide emergency, environmental enhancement, and other services that are not provided by the public sector and that are essential to the operation of a working harbor. (Imp. 21.3, 21.4)

- ~~Policy HBB-1.6: Encourage development of waterfront facilities that accommodate displaced water-dependent uses. (Imp. 2.1, 14.3)~~

- Policy HBB-1.7: Discourage reuse of properties that result in the <sup>significant</sup> reduction of water-dependent commercial uses. Allow the reuse of properties that assure water-dependent uses remain, especially in those areas with adequate infrastructure and parcels suitable for redevelopment as an integrated project. (Imp. 2.1, 14.3, 24.1)

- Policy HBB-1.8: When establishing land use regulations, consider the operational characteristics of land uses that support Newport Harbor and whether such uses can be or should be relocated to inland locations and/or if technological advances will eliminate the need for such support uses in the foreseeable future. (Imp. 2.1, 14.3, 21.1)

- Policy HBB-1.9: Support continued operation of <sup>a reasonable number of</sup> passenger/sightseeing boats, passenger fishing boats ("day boats"), and long-term boat rentals and sales. (Imp. 2.1, 21.1)

- Policy HBB-1.10: Support <sup>a reasonable number of</sup> continued short-term rental of small boats while encouraging vendors to teach customers how to safely operate the watercraft. (Imp. 2.1, 21.1, 21.3)

- Policy HBB-1.11: Support continued operation of <sup>a reasonable number of</sup> entertainment and tour boats, subject to reasonable <sup>unreasonable</sup> regulations designed to ensure the operations do not have an adverse impact on the environment and land uses surrounding the harbor, such as unsafe navigation, impaired water quality, reduced visual quality, excessive noise, unsafe street traffic conditions, or parking shortages. (Imp. 14.3, 21.3)

Goal HBB-2: Minimized risk of displacement ~~from~~ <sup>by</sup> coastal hazards

- Policy HBB-2.1: Adopt a well vetted and comprehensive Sea-Level Rise Plan consistent with Senate Bill 272 (2023) <sup>and federal</sup> relevant state legislation and appropriately update the Local Coastal Program, including the

Land Use Plan and Implementation Plan, as reasonably necessary. The Sea Level Rise Plan should <sup>at least</sup> consider: (Imp. 5.1) (Policy S-1.1.1).

- Preservation of private property rights;A
- Preservation and migration of inter-tidal habitats;B
- Preservation of public access; andC
- Protecting and retrofitting critical infrastructure, such as water and ~~waste water~~wastewater infrastructure.
- ◆○
- Policy HBB-2.2: Provide information to at-risk property owners about flooded mitigation strategies, such as elevating ~~structurally raising~~ critical uses and infrastructure disaster preparedness and best practices(Community Involvement).
- Policy HBB-2.3: Work with non-profits, educational institutions, and ~~citizen scientists~~other informed sources, such as the Newport Bay Conservancy and Back Bay Science Center to collect king tide and related flood monitoring data to identify location, severity, and frequency of flooding. (Community Involvement)

Goal HBB-3: A harbor, bay, and beaches that attract tourism and maintain the character of coastal neighborhoods

- Policy HBB-3.1: Encourage the creation of <sup>reasonable</sup> waterfront public spaces and beaches, with adjacent public water access and docking facilities that serve as the identity and activity “centers” of Newport Harbor for special events of community/regional interest. (Imp. 20.1, 20.2, 20.3)
- Policy HBB-3.2: Preserve and/or enhance existing water-enhanced, water-related, and water-dependent commercial uses and marine-oriented commercial areas through building improvements and programs that preserve the design and character of Newport Harbor. (Imp. 2.1, 24.1)

Goal HBB-4: ~~Preserved existing commercial uses in Newport Harbor that maintain and enhance the charm and character of the harbor and provide support services for visitors, recreational boaters, and other water-dependent uses~~

- ◆ ~~Policy HBB-4.1: Support continued operation of passenger/sightseeing boats, passenger fishing boats (“day boats”), and long term boat rentals and sales. (Imp. 2.1, 21.1)~~
- ◆ ~~Policy HBB-4.2: Support continued short term rental of small boats while encouraging vendors to teach customers how to safely operate the watercraft. (Imp. 2.1, 21.1, 21.3)~~

- ~~Policy HBB 4.3: Support continued operation of entertainment and tour boats, subject to reasonable regulations designed to ensure the operations do not have an adverse impact on the environment and land uses surrounding the harbor, such as unsafe navigation, impaired water quality, reduced visual quality, excessive noise, unsafe street traffic conditions, or parking shortages, on the environment and land uses surrounding the harbor. (Imp. 14.3, 21.3)~~

*provide and support*  
Goal HBB-45: Sufficient coastal infrastructure that protects coastal-dependent and public recreational uses and view corridors while matching the character of the surrounding development and protecting coastal and visual resources

- Policy HBB-45.1: Balance private property rights, natural harbor tidal and current forces, other coastal processes (such as erosion and accretion), and harbor aesthetics with other public access policies when considering siting and design for new or renovated bulkhead permits. (Imp. 2.1, Imp. 5.1) (Policy S-1.1.5)
- Policy HBB-45.2 Permit and design bulkheads and groins, when allowed, to protect the character of the existing beach profiles and restore and/or sustain eroded beach profiles found around Newport Harbor and island perimeters. (Imp. 2.1, 5.1)
- Policy HBB-45.3: Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways. (Imp. 2.1, 5.1)
- Policy HBB-45.4: Employ City, County of Orange, State, and Federal regulations and resources to promptly remove derelict, abandoned, and/or unseaworthy vessels from City-controlled tidelands. (Imp. 14.3, 14.6, 21.1, 21.4)

#### Harbor Coordination and Administration

Administration of Newport Harbor and Bay involves coordination among various government agencies and internal City departments. Several commissions and committees handle administrative and advisory tasks, including advising the City Council, reviewing decisions, and managing permits.

One of the ~~The Harbor Commission's primary charges~~ charge under Section 713 of the Newport Beach City Charter is to advise the City Council on all matters related to the Newport Harbor, including improvements, vessel regulation, land use, and the implementation of harbor policies. ~~the diverse uses of Newport Harbor and its waterfront. The two most essential responsibilities of the Harbor Commission are (1) ensuring the long-term welfare of Newport Harbor for all residential, recreational, and commercial users; and (2) promoting Newport Harbor as a preferred and welcoming destination for visitors and residents alike. Per section 709 of the Newport Beach City Charter, the~~ **The Parks, Beaches, and Recreation Commission** advises the City Council

Please double check title. Should this be the "Harbor Area Management Plan of April, 2014"?

on parks, beaches, recreation, and street trees. It helps plan and promote recreational programs, establishes policies for park and beach development, and manages trees and shrubs, subject to City Council authority.

The **Water Quality/Coastal Tidelands Committee** advises the City Council on water quality and habitat protection in Newport Bay and the ocean. It strengthens regulations, implements the Harbor and Beaches Master Plan, and recommends educational initiatives about Newport Bay and the ocean.

The **California Department of Parks and Recreation** owns and has delegated to the City the development, operation, control, and maintenance of Corona del Mar State Beach, a popular spot for surfing and diving. The park features a 0.5-mile sandy beach enclosed by rocky cliffs.

Goal HBB-56: Coordination <sup>among</sup> ~~between~~ the City and County, State, and Federal agencies having regulatory authority in Newport Harbor and Bay

- Policy HBB-56.1: Periodically review and update as appropriate all Newport Harbor planning, design, engineering, and environmental criteria, standards, requirements, and processes. (Imp. 9.1, 21.1, 21.4)
- Policy HBB-56.2: Provide harbor access for harbor maintenance equipment and facilities, including dredging; dock demolition, repair, and construction; mooring services; debris and spill management equipment; and general harbor construction, maintenance, and repair. (Imp. 14.3, 14.6, 21.1, 21.4)
- Policy HBB-56.3: Work with other controlling agencies within Newport Harbor and/or Bay to define an area that can support harbor maintenance facilities and equipment. (Imp. 14.3, 14.6, 21.1, 21.4)

Goal HBB-67: Maintenance and enhancement of deep-water channels to ensure they remain navigable by boats

- Policy HBB-67.1: Develop a comprehensive sediment management program that provides for safe navigation and improved water quality. (Imp. 14.3, 14.11, 21.1)
- Policy HBB-67.2: Cooperate with the U.S. Army Corps of Engineers in their maintenance and delineation of Federal navigational channels within Newport Harbor in the interest in providing safe navigation. (Imp. 14.11)
- Policy HBB-67.3: Secure blanket permits or agreements through the regulatory agencies to expedite permit processing for residential and commercial dock owners in the Bay. (Imp. 14.6, 14.11)

Goal HBB-78 Protect and restore beaches and dunes

- Policy HBB-7.478.1: Encourage the use of nature-based solutions, such as <sup>reasonable</sup> dune restoration and sand replenishment and nourishment, as alternatives to traditional infrastructure. (Imp. 8.1, 21.2) (Policy S-1.1.4)
- Policy HBB-78.27.5: Develop and implement a comprehensive beach sand replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine replenishment

and nourishment priorities, and try to use replenishment and nourishment as shore protection, in lieu of more permanent hard shoreline armoring options. (Imp. 8.1, 21.2)

- Policy HBB-~~78.37.6~~: Monitor/analyze beach width and elevation data to establish beach erosion thresholds at which backshore development becomes unreasonably exposed to wave runup flooding risks (Policy S-1.3.2) (Imp. 28.1)
- Policy HBB-~~78.47.7~~: During Emergency Operations Plan updates, reevaluate protocol for the coordinated emergency use of public and private coastal facilities and equipment (i.e., partnerships for allowed use of docks) in advance of flood, storm, pollution, dredging, vessel sinking, and other potentially hazardous events to supplement existing safety and rescue operations. (Imp. 28.2) (Policy S-1.1.5)

#### Economic Value of Newport Harbor

Newport Harbor is the largest recreational boat harbor on the West Coast, with a thriving coastal and visitor-serving industry that includes maritime-related businesses (i.e., shipyards, fueling facilities, boat rentals, charters, ferry services) as well as food and beverage, retail, and hotel industries that service the community and visitors.

As of 2018, commercial activity at the harbor directly generated \$391.9 million in economic output, supported 4,807 jobs, and generated \$167.5 million in labor income. The City and Orange County revenues that the harbor generates through business licenses, mooring fees, and other fees total an estimated \$7 million each year. The annual Christmas Boat Parade generates roughly \$6.5 million each year from its 1 million attendees. Homes that surround the harbor benefit from higher assessed value, with an average value of just over \$3 million.<sup>2</sup>

Administration and management of the harbor, bay, and beaches includes coordination between departments, public investment balanced with revenue, and well-maintained public facilities. Efficient and effective management policies will maintain the City's ability to provide high-quality services that are accessible to a broad range of people and business.

<sup>2</sup> Beacon Economics. *Fiscal Impact Analysis of Newport Harbor: Final Report*. Newport Beach, CA: Newport Harbor Foundation, May 4, 2018. <https://newportharborfoundation.org/wp-content/uploads/Beacon-Economics-Newport-Harbor-Fiscal-Analysis-May-2018.pdf>.

*Goal HBB-8: Well-managed and economically productive harbor, bay, and beaches*

- Policy HBB-8.1: Protect and, where feasible through the use of new designs and technology, enhance and expand marinas and dry boat storage facilities. (Imp. 2.1, 21.1)
- Policy HBB-8.2: Provide a variety of berthing and mooring opportunities, including lower-cost recreational boating, throughout Newport Harbor, reflecting state and regional demand for slip size and affordability. (Imp. 2.1, 21.1)
- Policy HBB-8.3: Provide anchorages in designated Federal areas that minimize interference with safe navigation and where shore access and support facilities are available. (Imp. 2.1, 21.1)
- Policy HBB-8.4: Authorize, pursuant to permit, license, or lease, new and existing piers and docks bayward of waterfront residential properties, subject to appropriate conditions that ensure compatibility with residential uses. (Imp. 2.1, 21.1)
- Policy HBB-8.5: Facilitate access to vacant moorings for temporary rental use. (Imp. 2.1, 21.1)
- Policy HBB-8.6: Foster public access to moorings by enforcing and refining the derelict boat ordinance and regulating permitted transfers by permit holders. (Imp. 2.1, 21.1)
- Policy HBB-8.7: Allow “live-aboard” vessels, subject to a reasonable maximum number of renewable annual permits, and provide for regulation and vessel inspection. (Imp. 2.1, 21.1)

*Goal HBB-9: Cost-efficient servicing and managing of Newport Harbor*

- Policy HBB-9.1: Explore revenue options to receive a reasonable ~~market~~ rate of return from all tideland users to recapture related City investment, services, and management costs. (Imp. 30.2)
- Policy HBB-9.2: Provide alternative and supplemental Newport Harbor funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of Newport Harbor. (Imp. 30.2)
- Policy HBB-9.3: Review the administration of tidelands leases and permits and consider accepted best management practices to assist in redevelopment, maintenance, and financing of waterfront developments and reflect reasonable ~~market~~ value in the lease rates. (Imp. 30.2)
- Policy HBB-9.4: Review costs and procedures to receive reasonable cost recovery for permit processing. (Imp. 21.1)

## Public Access to Coastal Resources

Newport Beach has a well-established ~~n extensive~~ system of accessways to ocean beaches and the bay, including public beaches, parks, shoreline trails, walkways, and boardwalks. The City protects public access from adverse impacts due to new development, per the California Coastal Act.

Higher tides and storm surges from sea-level rise can accelerate some ~~the~~ erosion of sandy beaches, <sup>which</sup> ~~these~~ impacts can often be mitigated through sand nourishment and replenishment. This increased erosion may ~~impact public access~~ ~~poses a threat~~ to the many beach areas, and thus in extreme cases, to public access within Newport Beach. Additionally, unmitigated bluff erosion, which ~~is expected to~~ may increase due to sea-level rise, ~~can~~ may cause loss and damage to development, including roads, sidewalks, and beach and harbor access points in Corona del Mar and Newport Coast. The ~~risk~~ possibility of this occurring is greatest in the long-term, ~~high end, worst case~~ sea-level rise scenarios, which project to the year 2100.

Higher sea levels ~~can~~ may also lead to increased risk of coastal flooding during consequential storms, which can also temporarily impede access to the beach and harbor. Low-lying beach access points may be threatened by significant sea-level rise.

The Safety Element includes maps and additional detail on sea-level rise, potential coastal flooding, and beach erosion.

Access to coastal resources provides recreational, health, and economic benefits. The harbor, bay, and beaches should be valued for the recreational opportunities they provide, and reasonable access should be provided and maintained for current and future generations. Enhanced reasonable recreational opportunities and user amenities should be available at appropriate locations to enhance the user experience.

### (Visitors/Residents Preference for a Peaceful Beach Experience)

#### Goal HBB-10: Safe and accessible beach and harbor access points

- Policy HBB-10.1: Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay; acquire additional public access points to these areas and provide parking, where possible. (Policy R 7.4) (Imp. 2.1, 5.1, 20.2)
- Policy HBB-10.2: Ensure that new or improved public access facilities are compatible with existing permitted land uses and with the availability of supporting infrastructure, such as parking and restrooms. (Imp. 2.1, 21.1)

(vertical and existing boardwalk),  
(including new vertical access points but without extension of the existing boardwalk)

(but without extension of the existing boardwalk)

- ✓ • Policy HBB-10.3: Assess beach and harbor access points that are at risk of impacts from coastal hazards, and create long-term management plans to maintain or replace with similar access. (Local Coastal Plan)
- ✓ • Policy HBB-10.4: ~~Install improvements~~ Maintain and enhance existing infrastructure to support enhance accessibility for a range of users with varied abilities, including enhanced restrooms, parking, bike racks, and other supportive infrastructure. (Local Coastal Plan)
- Policy HBB-10.5: Provide for marine safety such as lifeguards, harbor patrol, police, traffic, and parking enforcement. (Imp. 23.1, 21.4)

Goal HBB-11: Multifaceted and integrated coastal access

- ~~Policy HBB-11.1: Maintain public use of the Upper Newport Bay Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Imp. 2.1, 23.1)~~
- ✓ • Policy HBB-11.12: Encourage the provision of guest slips, moorings, vessel waste pump-out stations, and anchorages in Newport Harbor. Coordinate with the Orange County Parks Department to provide such facilities where appropriate and feasible within County tidelands. (Policy R8.3) (Imp. 14.3, 23.1)
- Policy HBB-11.23: Enhance and maintain public water transportation services and expanded public water transportation uses and land support facilities. (Imp. 16.12)
- Policy HBB-11.34: Coordinate the location of marine terminals with other components of the transportation system to ensure convenient multimodal access and adequate parking. (Policy CE 5.2.1) (Imp. 16.12)
- Policy HBB-11.45: Promote opportunities to expand water transportation modes, such as water-based shuttle services and water taxis, and land-based transportation modes aimed at increasing coastal access, such as Balboa Peninsula Trolley. (Policy CE 5.2.2). (Imp. 16.12)
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- Policy HBB-11.67: Assess potential improvements to wayfinding in coastal areas highlighting visitor resources. (Local Coastal Program)

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- Policy HBB-12~~13~~.4 (NR-12.2): Coordinate the needs of stormwater pollution management with the overlapping (and sometimes competing) needs for habitat management, flood management, capital improvement projects, development, aesthetic, and other open space needs. (Water)
- Policy HBB-12~~13~~.5: Provide alternative and supplemental Upper Newport Bay funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of the estuary and conservation areas.
- Policy HBB 12~~13~~.6: Protect and manage visual and scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

should this be changed to "Upper Newport Bay State Marine Conservation Area"?

✓ name

- Policy HBB 12/7XXX Encourage new public and private development to create new public viewpoints providing views of Upper Newport Bay.

**From:** Dennis Baker <dennis.baker@diandden.net>  
**Sent:** May 26, 2025 2:38 PM  
**To:** Paul Watkins; Zdeba, Benjamin  
**Cc:** nancy gardner; Black, Curtis  
**Subject:** Re: Revised Harbor, Bay, and Beaches Element: Please Review by May 23

**[EXTERNAL EMAIL] DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

Thanks for the editing and more.

- Re the claim of "... largest recreational boat harbor on the West Coast." This is what "the Google" says, probably because we (likely Visit Newport) claim to be. I found no clear way of how to calculate this. There are multiple factors. At best I think that using "among the" would result in a more defensible statement.
- Regarding labels for the upper bay. There are multiple, some overlapping, designations
  - The Preserve refers to the area under management of OC Parks, the County (roughly above mean high tide)
  - The Reserve refers to the area under management of Cal Fish and Wildlife, the state. (roughly below mean high tide)
    - From and including Shellmaker Island to Jamboree bridge
    - Only the tidal lands, whereas the Preserve is the uplands
  - The Upper Newport Bay State Marine Conservation Area is from PCH bridge to Jamboree bridge
    - This is a Marine Protected Area (Originally Marine Life Protected Area)
    - Administered by Cal Fish and Wildlife
    - Limits what you can do, i.e. no from vessel fishing
  - Management is not the same as protected designation of an MPA.
  - If that isn't confusing enough, you have city owned and managed land
    - North Star Beach
    - The land between the NAC and the bluff is co managed by OC Parks and the city
    - And on it goes.
  - Then you have Coastal Commission, Corps of Engineers, US Fish and Wildlife and .....

The above only touches the surface. There is reference to the Newport Bay Watershed Executive Committee (Orange County) and of course all of the tributaries and contributing cities the flow into the bay.

Must include definitions (i.e. What is an MPA?), and maps. The maps would need to be multiple, showing in one case ownership, another administration, and perhaps another for stewardship. Also, the actual documents should not be in the GP document, but links to the most current information. The GP should link to primary (original) source data, i.e. Cal Fish and Wildlife for the boundaries of the "Reserve" and the "Conservation Area" which overlap but are different.

Finally, on a more grand scale (the whole GP), I would hope that a process would be in place to ensure that links are kept up to date and stale or dead links removed or updated.

*Dennis Baker*

**From:** Mosher, Jim  
**Sent:** May 26, 2025 5:07 PM  
**To:** Zdeba, Benjamin  
**Subject:** Re: RE: Revised Harbor, Bay, and Beaches Element: Please Review by May 23  
**Attachments:** Comments on Draft Harbor, Bay, and Beaches Element Rev 1.docx

Ben,

Although not a member of the subcommittee, I have attached some comments on the new draft.

- Jim

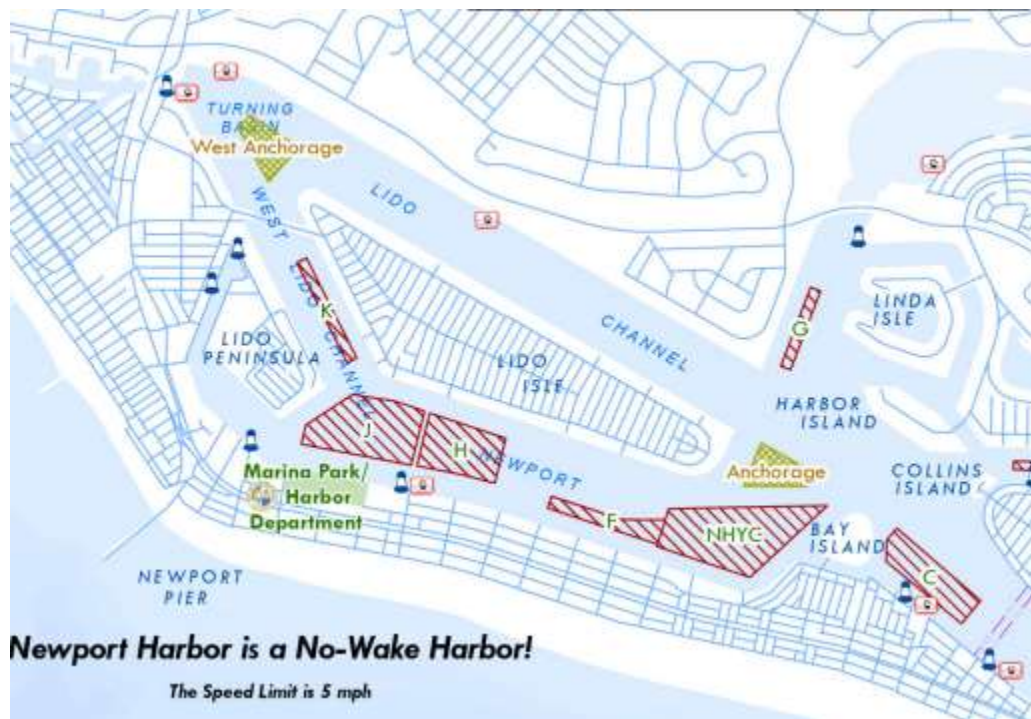
## Comments regarding Draft Harbor, Bay, and Beaches Element

These comments are about the “Rev. 1” [draft](#) distributed to the GPAC Harbor, Bay, and Beaches Subcommittee in response to comments received after its [April 30, 2025, meeting](#). The page numbers refer to the 12-page redlined (and un-numbered) PDF.

Page 1:

- Near the bottom, a sentence reading “There are two public anchorages in the harbor” has been deleted in response to an earlier comment I made. The comment I made was not a request to delete it, but rather to check if it is accurate.

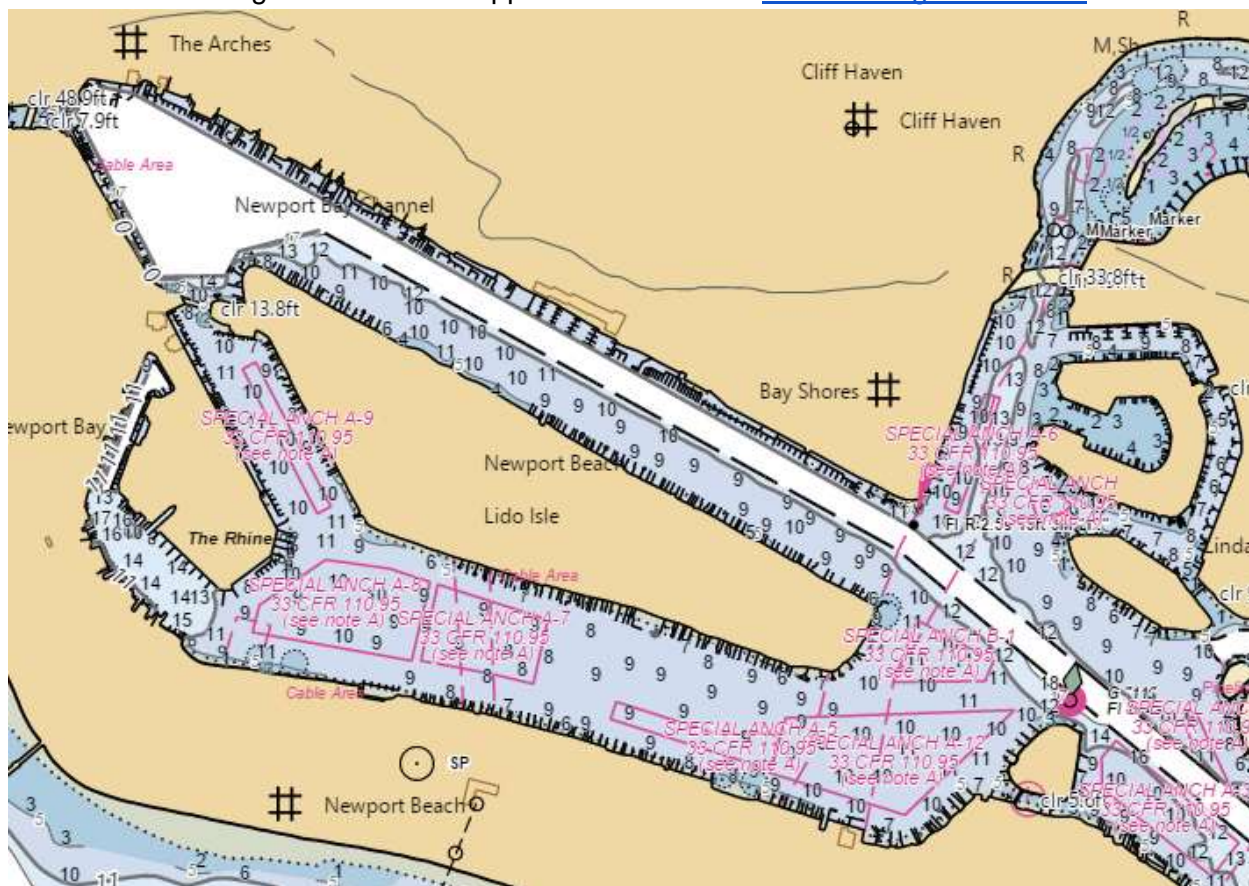
The Harbor Department’s [General Harbor Map](#) shows two anchorages – one at each end of Lido Isle:



But the “West Anchorage” is not shown on its [Resources around the Harbor](#) map:



The West Anchorage also does not appear on the federal [NOAA Navigation Charts](#):



I believe the status may be the the Coast Guard looks the other way if boats anchor in the West Anchorage, but it has never been officially sanctioned. I believe there are also inconsistencies between the City's understanding of other harbor lines, such as the pierhead lines, and the federal understanding of those. If that is true, there should probably be a General Plan policy to reconcile the two.

#### Page 2:

- In the second paragraph there is a proposal to change lower-case "city" to capitalized "City." Modern usage seems to increasingly frown on use of capital letters. City documents I have seen tend to employ a style in which "City" is used as shorthand for the "City of Newport Beach" (government) and "city" for Newport Beach as a place. If that is correct, this seems to be a case in which "city" was correct and "City" is not.

#### Page 3:

- I agree with Ginny's suggested addition to HBB-1.4, but I question why "ferry service" has been added to it. The ferry service is an important harbor resource that needs to be mentioned somewhere in the element, but this does not seem the place. While it is water-related and very much water-dependent, it does not seem to me to be an example of a "marine support" use. On the contrary, it supports the needs of landlubbers, not boaters.

#### Page 5:

- I appreciate the revisions proposed to more accurately reflect the Harbor Commission's functions as stated in the City Charter. However, I continue to see an absence of policies to achieve the realignment of duties requested by Chair Black. Also not mentioned here is that the County, rather than the City, is the trustee for some of the state tidelands within the harbor; or the division of authority between the Coast Guard, Sheriff's Harbor Patrol and City Harbor Department.

#### Page 7:

- The 2018 Economic Impact Analysis seems a bit dated for an element to be adopted in 2025. Is there anything more current? I believe Chair Black referred to updated figures.

#### Page 7:

- The "1,000 acres" quoted for the size of the Upper Newport Bay wetlands differs significantly from the 752 acres quoted by [OC Parks](#). According to them, to get to 1,000 acres, one would have to include the dry Nature Preserve lands surrounding the wetlands.

As a general comment, one of the most significant recommendations of the existing Harbor and Bay Element was the development of a [Harbor Area Management Plan](#). While that was accomplished by 2010, I am not seeing anything specific in the proposed new element as to the need to review and update it between now and 2050.

– comments submitted by Jim Mosher, May 26, 2025